

## **REMARKS**

Claims 1-12 were pending in the application. Claims 4-7 have been amended to provide proper antecedent basis for each claim. Claim 12 has been amended to incorporate the limitations of claim 1 and 2. New claims 13-16 depend from claim 2 and mirror dependent claims 4-7, which depend from claim 1. Support for the amendments to the claims may be found, for example, in the claims as originally filed. No new matter has been added.

### **Objections to the Claims**

Claim 12 is objected to as being a multiply dependent claim depending on a multiple dependent claim. Claim 12 has been amended to remove the multiple dependency and to incorporate explicitly the limitations of claims 1 and 2. Applicant respectfully requests that the objection to claim 12 be withdrawn.

### **Claims Rejections 35 U.S.C. 102**

Claims 1-11 are rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by Hyodo (US 6,066,938). The Examiner's rejection has been carefully considered.

The presently claimed invention comprises a replaceable rechargeable battery unit for a power tool, characterized by a coupling unit for charging the battery unit in the mounted state on a power tool.

A replaceable battery unit is one that is removed from a power tool in order to be recharged on a recharging unit (see page 1, lines 7-17 of the present specification). A

non-replaceable battery unit is one that is recharged by placing the entire tool on a charging unit. As claimed, the present invention provides for a rechargeable battery unit that is recharged in the mounted state on a power tool.

The Examiner, in the rejection of claim 1-11 correctly states that Hyodo discloses a power tool having a battery wherein the battery can be charged in the mounted state on the tool. The rejected claims, however, recite a replaceable rechargeable battery unit for a power tool, characterized by a coupling unit for charging the battery unit in the mounted state on a power tool.

Hyodo discloses a battery unit 5 that is placed within the lower part of handle 4 (Fig. 1). Column 3, line 48 in Hyodo discloses that the battery unit 5 is an internal battery unit. An internal battery unit is not designed to be removed from the power tool. Consequently, the battery unit 5 is not a replaceable battery unit and, accordingly, Hyodo does not anticipate claims 1-11.

In light of the foregoing, Applicant respectfully requests that the rejection of claims 1-11 as being anticipated by Hyodo be withdrawn.

### Conclusion

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'E' followed by a long horizontal stroke.

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